PATENT

actitioner's Docket No. 17396/09015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Maurice De Billot, et al.

Confirmation No.: 8087

Application No.: 10/026,301

Group No.: 1616

Filed: 12/19/01

Examiner: Alton Nathaniel Pryor

For: METHOD OF IMPROVING YIELD

AND VIGOR OF PLANTS

CERTIFICATE OF FIRST CLASS MAILING WITH MAIL STOP (CM-MS) (37 C.F.R. $\S 1.8(a)(i)(1)(A)$

I hereby certify that on June 4, 2008 the following correspondence:

Name of Paper: Amendment Transmittal

Number of Pages: 3

Fees: One (1) month extension of time

Amount: \$ 120.00

Payment By: Check

Other: Fee Transmittal for FY 2008 (2 pages - original and copy); Petition and Fee for Extension of Time (2 pages - original and copy); Response to Office Action (18 pages);

Return Receipt Postcard,

is being deposited with the United States Postal Service in an envelope addressed

to:

Mail Stop Amendment Commissioner for Patents PO Box 1450 Alexandria, Virginia, 22313-1450

with sufficient postage as first class mail.

Reg. No.: 35,124

(if applicable)

Telephone Number: <u>864-250-2238</u>

Charles E. Dunlap, Ph.D., Esq.

Type or print name of person certifying

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Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month: Fee: \$120.00

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Co	ol. 2)	(Co	1. 3)	(OTHE	R THAN A	SMA	ALL ENTI	TY
	CLAIMS										
	REMAINING	HIGH	EST NO.								
	AFTER	PREVI	OUSLY	PRES	SENT					ADDIT.	
	AMENDMENT	PAII	FOR	EXT	ΓRA		RA	ATE		FEE	
TOTAL	16		28	=	0	х	\$_	50.00	=	\$	0.00
INDEP.	1		3	=	0	x		210.00	=	\$	0.00
FIRST PR	ESENTATION O	F MULT	TIPLE DE	P. CLAI	M	+	\$	0.00	=	\$	0.00
								TOTAL			
								ODIT. FEE		\$	0.00
			N	o additio	nal fee	for cl	aims	is required.			

FEE PAYMENT

5. Attached is a check in the sum of \$120.00.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized below.

A duplicate of this paper is attached.

FEE DEFICIENCY

6. If an additional extension and/or fee is required, charge Account No. 50-2548.

If an additional fee for claims is required, charge Account No. 50-2548.

Date: June 4, 2008

Reg. No.: 35,124

Tel. No.: 864-250-2238 Fax No.: 803-255-9831

Customer No.: 45850

Signature of Practitioner

Charles E. Dunlap, Ph.D., Esq.

Nelson Mullins Riley & Scarborough, LLP

1320 Main Street, 17th Floor

Columbia, SC 29201

USA

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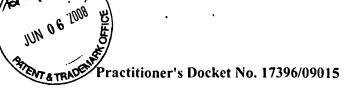
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	CLAIMS REMAINING AFTER AMENDMENT	PREV	EST NO. IOUSLY D FOR		ESENT KTRA		Ř.	ЛТЕ		ADDIT. FEE	
TOTAL	16	·	28	=	0	x	\$	50.00	=	\$ \$	0.00
INDEP.	1	_	3	=	0	х	\$	210.00	=	\$	0.00
FIRST PR	ESENTATION O	F MUL	TIPLE DEF	P. CLA	IM	+	\$	0.00	=	\$	0.00
			No	o additi	ional fee	for cl		TOTAL DDIT. FEE is required.		\$	0.00

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Nelson Mullins Riley & Scarborough, LLP

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USA

Approved for use through 06/30/2010. OMB 0651-0032

Date June 4, 2008

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004. Complete if Known oursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). **Application Number** 10/026,301 Conf. No. 8087 FEE TRANSMITTA Filing Date December 19, 2001 For FY 2008 First Named Inventor Maurice R. De Billot et al. **Examiner Name** Alton N. Pryor Applicant claims small entity status. See 37 CFR 1.27 Art Unit 1616 TOTAL AMOUNT OF PAYMENT 120.00 17396/09015 Attorney Docket No. METHOD OF PAYMENT (check all that apply) ✓ Check Credit Card JMoney Order None Other (please identify): ✓ Deposit Account Deposit Account Number: 50-2548 Deposit Account Name: Nelson Mullins Riley & Scarborough, LLP For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments under 37 CFR 1.16 and 1.17 WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. **FEE CALCULATION** 1. BASIC FILING, SEARCH, AND EXAMINATION FEES FILING FEES SEARCH FEES **EXAMINATION FEES Small Entity Small Entity Small Entity Application Type** Fee (\$) Fees Paid (\$) Fee (\$) Fee (\$) Fee (\$) Fee (\$) Fee (\$) Utility 310 155 510 255 210 105 Design 210 105 100 130 50 65 Plant 210 105 . 310 155 160 80 Reissue 310 155 510 620 255 310 Provisional 210 105 0 0 2. EXCESS CLAIM FEES Small Entity **Fee Description** Fee (\$) Fee (\$) Each claim over 20 (including Reissues) 50 25 Each independent claim over 3 (including Reissues) 210 105 Multiple dependent claims 370 185 **Total Claims Extra Claims** Fee Paid (\$) **Multiple Dependent Claims** Fee (\$) _ - 20 or HP = 28 \$50 .00 Fee (\$) Fee Paid (\$) HP = highest number of total claims paid for, if greater than 20. Indep. Claims **Extra Claims** Fee (\$) Fee Paid (\$) -3 or HP = 3 \$210 HP = highest number of independent claims paid for, if greater than 3. If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof **Total Sheets** - 100 = (round **up** to a whole number) 4. OTHER FEE(S) Fees Paid (\$) Non-English Specification, \$130 fee (no small entity discount) Other (e.g., late filing surcharge): Government fee for one (1) month extension of time \$120.00 SUBMITTED BY Registration No. 35,124 Telephone 864-250-2238 Signature (Attorney/Agent) Charles E. Dunlap, Ph.D., Esq

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

- 1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
- 2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
- A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
- 4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
- 5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
- 6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
- 8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
- A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Fees Paid (\$)

\$120.00

Approved for use through 06/30/2010. OMB 0651-0032

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Effective on 12/08/2004. FEE TRANSMITTAL For FY 2008 Applicant claims small entity status. See 37 CFR 1.27 TOTAL AMOUNT OF PAYMENT (\$) 120.00 Complete if Known Application Number 10/026,301 Conf. No. 8087 Filing Date December 19, 2001 First Named Inventor Maurice R. De Billot et al. Examiner Name Alton N. Pryor Art Unit 1616 Attorney Docket No. 17396/09015	
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Art Unit 1616	
TOTAL AMOUNT OF PAYMENT (\$) 120.00 Attorney Docket No. 17396/09015	
METHOD OF PAYMENT (check all that apply)	
Check Credit Card Money Order None Other (please identify):	
Deposit Account Deposit Account Number: 50-2548 Deposit Account Name: Nelson Mullins Riley & Scarborot Deposit Account N	ugn, LLP
Charge fee(s) indicated below Charge fee(s) indicated below, except for the filling	ng fee
Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17	
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card	1
information and authorization on PTO-2038.	
FEE CALCULATION	
1. BASIC FILING, SEARCH, AND EXAMINATION FEES	
FILING FEES SEARCH FEES EXAMINATION FEES Small Entity Small Entity Small Entity	
Application Type Fee (\$)	<u>(\$)</u>
Utility 310 155 510 255 210 105	
Design 210 105 100 50 130 65	
Plant 210 105 310 155 160 80	
Poisson 210 155 510 550	
Reissue 310 155 510 255 620 310	
Provident 210	
Provisional 210 105 0 0 0 0	
Provisional 210 105 0 0 0 0 2. EXCESS CLAIM FEES Fee Description Storage 255 020 310 0 0 0 0 Small Entity Fee (\$)	
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Signature

Registration No. (Attorney/Agent) 35,124

Name (Print/Type) Charles E. Dunlap, Ph.D., Esq.

Date June 4, 2008

Non-English Specification. \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Government fee for one (1) month extension of time

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